

Rev. 10/97
Modified PTO 1083
For A Small Entity

PATENTS

Attorney Docket No. MOSS-1

Applicants : Robert Allen Moss et al.
Application No. : 09/627,146 Confirmation No.: 1215
Filed : July 27, 2000
For : BALL HITTING PRACTICE APPARATUS
Group Art Unit : 3711
Examiner : Michael Chambers

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Hon. Commissioner for Patents
Washington, D.C. 20231

New York, New York
October 10, 2001

TRANSMITTAL LETTER

Sir:

Transmitted herewith: ☐ a Preliminary Amendment;
☒ a Reply to Office Action; ☐ a Supplemental Amendment;
☐ a Declaration; ☐ formal drawings; to be filed in the above-identified
patent application.

FEE FOR ADDITIONAL CLAIMS

- ☒ A fee for additional claims is not required.
☐ A fee for additional claims is required.

The additional fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA		RATE		ADD'L FEE DUE
TOTAL CLAIMS	51	-	63*	=	0	x	\$ 9	=	\$ 0.00
INDEPENDENT CLAIMS	2	-	3**	=	0	x	\$42	=	\$ 0.00
FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM						+	\$140	=	\$.00

* If less than 20, insert 20.

** If less than 3, insert 3.

TOTAL \$ 0.00

- ☐ A check in the amount of \$_____ in payment of the fee for additional claims is transmitted herewith.
- ☒ The Director is hereby authorized to charge payment of any additional fees required under 37 C.F.R. § 1.16 in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.
- ☐ Please charge \$_____ to Deposit Account No. 06-1075 in payment of the fee for additional claims. A duplicate copy of this transmittal letter is transmitted herewith.

EXTENSION FEE

- ☐ The following extension fee is applicable to the Response filed herewith: ☐ \$55.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); ☐ \$200.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a); ☐ \$460.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a); ☐ \$720.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a); ☐ \$980.00 extension fee for response within fifth month pursuant to 37 C.F.R. § 1.136(a);
- ☐ A check in the amount of ☐ \$55.00 ☐ \$200.00 ☐ \$460.00 ☐ \$720.00 ☐ \$980.00 in payment of the extension fee is transmitted herewith.
- ☒ The Director is hereby authorized to charge payment of any additional extension fees required under 37 C.F.R. § 1.17 in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.
- ☐ Please charge the ☐ \$55.00 ☐ \$200.00 ☐ \$460.00 ☐ \$720.00 ☐ \$980.00 extension fee to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

Respectfully submitted,

I Hereby Certify that this Correspondence is being Deposited with the U.S. Postal Service as First Class Mail in an Envelope Addressed to:
COMMISSIONER FOR
PATENTS
WASHINGTON, D.C. 20231 on

October 10, 2001
Lillian Garcia

Lillian Garcia
Signature of Person Signing

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MOSS-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicants : Robert Allen Moss et al.
Application No.: 09/627,146 Confirmation No.: 1215
Filed : July 27, 2000
For : BALL HITTING PRACTICE APPARATUS
Group Art Unit : 3711
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Hon. Commissioner for Patents
Washington, D.C. 20231

REPLY TO OFFICE ACTION

Sir:

Applicants hereby respond to the Office Action dated September 27, 2001 which did not address the merits of the above-identified patent application, but required restriction of the application.

Claims 1-63 were pending in this application. The Examiner has stated that the originally-filed claims are directed to two distinct inventions as follows:

- I. Claims 1-46 and 59-63* are directed towards apparatus.

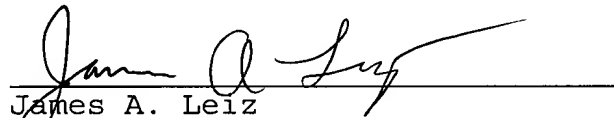
* Applicants believe the Examiner intended to refer to claims 1-46 and 59-63, instead of claims 1-47 and 59-63. If applicants are incorrect, the Examiner is invited to so state in the next communication.

II. Claims 48-58 are directed towards a method of use.

Applicants hereby elect without traverse the invention of Group I (claims 1-46 and 59-63) for examination in this application. This election is expressly without waiver of applicants' right to pursue claims in Group II in one or more divisional applications.

An early and favorable action is respectfully requested.

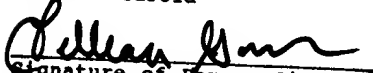
Respectfully submitted,



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